

Arnold B. Calmann, Esq.  
Jeffrey Soos, Esq.  
Jakob B. Halpern, Esq.  
**SAIBER LLC**  
One Gateway Center, Suite 1000  
Newark, New Jersey 07102-5311  
T: (973) 622-3333  
F: (973) 622-3349

Thomas J. Parker, Esq.  
Deepro R. Mukerjee, Esq.  
**ALSTON & BIRD LLP**  
90 Park Avenue  
New York, NY 10016  
T: (212) 210-9529  
F: (212) 210-9444  
*Attorneys for Mylan Pharmaceuticals Inc.*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

**MERCK SHARP & DOHME CORP. and  
MSD INTERNATIONAL GmbH,**

**Plaintiffs/Counterclaim Defendants,  
v.**

**MYLAN PHARMACEUTICALS INC.,  
Defendant/Counterclaim Plaintiff.**

**Civil Action No. 09-6383 (JLL)(MAH)  
Civil Action No. 10-3085 (JLL)(MAH)**

**CONSOLIDATED**

**NOTICE OF APPEAL TO THE  
COURT OF APPEALS FOR THE FEDERAL CIRCUIT**

**PLEASE TAKE NOTICE** that Defendant Mylan Pharmaceuticals Inc. (“Mylan”) hereby appeals to the United States Court of Appeals for the Federal Circuit from the May 16, 2012 Final Judgment and Order (Docket No. 455) entered in this action on May 17, 2012 and from all underlying and related opinions, orders, decisions, and rulings.

**SAIBER LLC**

*Attorneys for Defendant*

*Mylan Pharmaceuticals Inc.*

Dated: May 24, 2012

By: s/Arnold B. Calmann

Arnold B. Calmann (abc@saiber.com)

Jeffrey Soos (js@saiber.com)

Jakob B. Halpern (jbh@saiber.com)

**SAIBER LLC**

One Gateway Center, Suite 1000

Newark, New Jersey 07102-5311

T: (973) 622-3333

F: (973) 622-3349

Thomas J. Parker (thomas.parker@alston.com)

Deepro R. Mukerjee

(deepro.mukerjee@alston.com)

**ALSTON & BIRD LLP**

90 Park Avenue

New York, NY 10016

T: (212) 210-9529

F: (212) 210-9444

Adam J. Biegel (adam.biegel@alston.com)

**ALSTON & BIRD LLP**

1201 West Peachtree Street

Atlanta, GA 30309-3424

T: (404) 881-7000

F: (212) 881-7777

Blas P. Arroyo (blas.arroyo@alston.com)

Jitendra Malik (jitty.malik@alston.com)

**ALSTON & BIRD LLP**

Bank of America Plaza

101 South Tryon Street

Charlotte, NC 28280-400

T: (704) 444-1000

F: (704) 444-1111

*Attorneys for Defendant Mylan Pharmaceuticals  
Inc.*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the attached Mylan's Notice of Appeal was served by ECF, email, and/or U.S. First Class Mail on this **24th day of May, 2012** upon:

Donald A. Robinson  
**ROBINSON WETTRE & MILLER LLC**  
One Newark Center  
Newark, New Jersey 07102  
T: (973) 690-5400  
F: (973) 466-2760  
[drobinson@RWMLegal.com](mailto:drobinson@RWMLegal.com)

Douglas S. Eakeley  
Jason Halper  
**LOWENSTEIN SANDLER**  
65 Livingston Avenue  
Roseland, New Jersey 07068  
T: (973) 597-2500  
F: (973) 597-2400  
[jhalper@lowenstein.com](mailto:jhalper@lowenstein.com)

David T. Pritikin  
William H. Baumgartner, Jr.  
**SIDLEY AUSTIN LLP**  
1 S. Dearborn Street  
Chicago, Illinois 60603  
T: (312) 853-7000  
F: (312) 853-7036  
[dpritikin@sidley.com](mailto:dpritikin@sidley.com)  
[wbaumgartner@sidley.com](mailto:wbaumgartner@sidley.com)

Todd L. Krause  
**SIDLEY AUSTIN LLP**  
787 Seventh Avenue  
New York, New York 10019  
T: (212) 839-5300  
F: (212) 839-5599  
[tkrasue@sidley.com](mailto:tkrasue@sidley.com)

*Attorneys for Plaintiffs Merck Sharp & Dohme Corp.  
and MSD International GmbH*

Dated: May 24, 2012

/s/ Arnold B. Calmann  
Arnold B. Calmann